

## CITY OF TEMPE REQUEST FOR COUNCIL ACTION

**Council Meeting Date: 7/30/2013**  
**Agenda Item: 5C7**

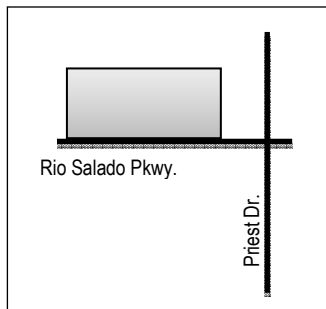
**ACTION:** Introduce and hold the first public hearing to adopt an ordinance for a Planned Area Development Overlay for LIBERTY CENTER AT RIO SALADO, located at 1850 West Rio Salado Parkway. The applicant is RSP Architects. The second and final public hearing is scheduled for August 22, 2013. (Ordinance No. 2013.45)

**FISCAL IMPACT:** While this development does not directly impact revenue, the planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.

**RECOMMENDATION:** Adopt Ordinance 2013.45.  
Staff approval, subject to conditions  
Development Review Commission, approval (5-0 vote on 07/23/2013)

**BACKGROUND INFORMATION:** LIBERTY CENTER AT RIO SALADO (PL130192) consists of six (6) office buildings two-stories in height, and a future warehouse building. The request includes the following:

PAD13009 Planned Area Development Overlay for development standard modifications for maximum building heights from 35 feet up to 80 feet, and modified bicycle parking standards.



Property Owner	City of Tempe
Applicant	Shane Lucero, RSP Architects
Current Zoning District	GID, General Industrial District and within Rio Salado Overlay District
Net site area	76.30 acres
Total Building area	810,000 sf.
Office	600,000 sf.
Warehouse	210,000 sf.
Lot Coverage	36% (NS)
Building Height	45 ft. – 80 ft. (35 ft. max. allowed)
Building Setbacks	25' front, 0' sides, 0' rear (25', 0, 0 min. required)
Parking Setback	20' front (20' min. required)
Landscape area	46% (10% min. required)
Vehicle Parking	3,746 spaces (3,526 min. required)
Bicycle Parking	85 spaces (582 min. required)

**ATTACHMENTS:** Ordinance, Development Project File

**STAFF CONTACT(S):** Lisa Collins, Interim Community Development Director, (480) 350-8989

Department Director: Lisa Collins, Interim Community Development Director  
Legal review by: Teresa Voss, Assistant City Attorney  
Prepared by: Ryan Levesque, Senior Planner

**COMMENTS:**

The site is located north of Rio Salado Parkway and west of Priest Drive. The site is currently vacant with no past development entitlements. Near the western portion of the site exists the DVORTAC, defined as the Doppler VHF Omni-directional Range Tactical Air Controller. This equipment is used to offer bearing information to pilots. Directly north of the site is the flood control levee for the dry riverbed portion of the Salt River. Directly south of the site is the East Valley Bus Operations Maintenance Facility. Along the other side of Rio Salado Parkway is an office complex (Rio West Business Park).

The overall site is conveniently accessible to the 202 freeway and less than five minutes from Downtown Tempe and Sky Harbor Airport. The plan is to provide a master plan development for a corporate office complex with warehouse integrated. The request includes a Planned Area Development Overlay for six (6) new office buildings and one (1) warehouse building, and to establish taller building heights, as contemplated in the development agreement by City Council, and to modify the bicycle parking ratios for the complex. This submittal will also be processing a Development Plan Review, for site plan, building elevations and landscape plan, consisting six (6) new office buildings with the following:

Office Building I	120,000 sf.	44'	2-stories
Office Building II	145,000 sf.	44'	2-stories
Office Building III	115,000 sf.	44'	2-stories
Office Building IV	75,000 sf.	44'	2-stories
Office Building V	75,000 sf.	44'	2-stories
Office Building VI	70,000 sf.	44'	2-stories
Warehouse	210,000 sf.	(future)	

A future submittal of a Subdivision Plat is also required.

**Public Input**

A neighborhood meeting is not required for this Planned Area Development Overlay. There is no residential within 600 feet of the subject property. At the time this report was generated staff has not received any public input. Postcards were sent out to property owners within 300 feet of the site and the site was posted with hearing schedule.

**PROJECT ANALYSIS**

The site will have access from Rio Salado Parkway with four new driveways and use of one existing signalized intersection used by the East Valley Bus Operations. A potential future access connection is considered from Priest Drive on the East. The west portion of the site will consist of the warehouse building and the majority of the site to the east consisting of six (6) new flex buildings for an office/industrial business park. The main entry drive is aligned with the main entry for the Rio West Business Park just south of the project site. The main drive will act as a gateway with enhanced landscaped with views to Camelback Mountain, and then circulating throughout the rest of the business park. The secondary access point will also encourage a strong vehicular connection to the north buildings and will be heavily screened similar to the main drive but with a more modest landscape buffer. The other 2 existing entries will function primarily as employee entries and exits to relieve traffic on the main entry drives. The guest parking will be located along the front with employee parking spread throughout the site. This development layout is surface parking only, with the integration of landscape islands and option to incorporate canopy shade parking. The design team has developed a shadow plan that identifies the amount of area within the parking lot that will be shaded without parking canopies (23% of the total parking lot areas).

The first phase of the project will consist of building 1, a two-story “flex” office building with a ground level of 80k sf. and the potential for a second level of 40k sf. - totaling 120k .f. Building I will be completed to a grey-shell condition with the infrastructure flexibility to accommodate the future tenant. The front facades will have a north and southern entrance to the building, along with potential loading bays within the site. The buildings’ long dimension will run east/west direction to optimize solar shade control, allowing more flexibility openings along the façade.

## PLANNED AREA DEVELOPMENT OVERLAY

As agreed in the development agreement with the City Council, the applicant "Liberty Property" is proceeding with a request for a Planned Area Development Overlay (PAD). The specifics of the PAD are intended to address height and bicycle parking requirements. The GID, General Industrial District has a maximum building height of 35'. The applicant requests an increase to 35 – 80 feet. This height increase is based on constraints identified by the FAA restrictions, as a result of the proximity to the DVORTAC located near the site. The proposed height will stay beneath the 1182 elevation, within 750' of the center of the DVORTAC, and increase at a 1.2 degree slope from the top of the plateau at the center of the DVORTAC. This ranges from a maximum 1182 to 1217 feet above sea level or approximately 45'-80'. The site plan shows the rings radiating from the center of the DVORTAC, indicating the maximum proposed height envelope in that would be allowed in that area.

The other request in the PAD includes a reduction in the minimum required bicycle parking from 582 to 85 spaces. Due to the mix of office and call center uses, the applicant is requesting a reduction in bicycle parking standards for "call center" to use the standard office parking ratio within the bicycle commute area of 1 space per 8,000 sf. This will allow more landscape around buildings to create a highly attractive business park and avoid over building a vast amount of under-utilized bicycle parking. This would result in a minimum parking ratio requirement of 80 bike parking spaces. The applicant is proposing to provide 85 spaces.

Below is a chart identifying the differences proposed for the modified development standards for Liberty Center at Rio Salado:

LIBERTY CENTER AT RIO SALADO – PAD Overlay				
Standard		GID (3)	PROPOSED GID (PAD)	
Building Height (feet) [Exceptions, see Section 4-205(A)]				
Building Height Maximum		35 ft.	<b>45 – 80 ft.</b>	Buildings shown at 44.5 ft.
Building Height Step-Back Required Adjacent to SF or MF District [Section 4-404, Building Height Step-Back]		Yes	Yes	
Maximum Lot Coverage (% of net site area)		100%	100%	
Minimum Landscape Area (% of net site area)		10%	10%	
Setbacks (feet) (a) [Exceptions, see Section 4-205(B)]				
Front		25 ft	25 ft	
Parking		20 ft	20 ft	
Side		0 ft	0	
Rear		0 ft	0	
Street Side		25 ft	25 ft	
Parking		20 ft	20 ft	
Bicycle Parking (Office & Call Center)		Office (1/8,000 sf.)  Call Center (1/750 sf.)	Office (1/8,000 sf.)  Call Center (1/8,000 sf.)	Total Proposed: 85 spaces

## Conclusion

Based on the information provided and the above analysis, staff recommends approval of the requested Planned Area Development. This request meets the required criteria and will be in conformance with the proposed conditions.

**REASONS FOR APPROVAL:**

1. The project is located within the Rio Salado Overlay District, which this development furthers the goals and objectives for the district and is an appropriate use.
2. The project will meet the development standards required under the Zoning and Development Code.
3. The PAD overlay was specifically created to allow for greater flexibility and for increased heights and modified parking standards as proposed in the project design.

**CONDITIONS OF APPROVAL:**

1. A building permit application shall be made on or before August 22, 2015, or the zoning of the property may revert to that in place at the time of application. Any reversion is subject to a public hearing process as a zoning map amendment.
2. The property owner(s) shall sign a waiver of rights and remedies form. By signing the form, the Owner(s) voluntarily waive(s) any right to claim compensation for diminution of Property value under A.R.S. §12-1134 that may now or in the future exist, as a result of the City's approval of this Application, including any conditions, stipulations and/or modifications imposed as a condition of approval. The signed form shall be submitted to the Community Development Department no later than September 21, 2013, or the approval shall be null and void.
3. The Planned Area Development shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Community Development Department prior to issuance of building permits.

**HISTORY & FACTS:**

February 14, 2013	City Council approved and entered into a Development Agreement with Liberty Property Limited Partnership.
July 23, 2013	Scheduled Development Review Commission hearing for this request.
July 30, 2013	City Council introduction and first public hearing for this request.
August 22, 2013	City Council 2 <sup>nd</sup> and final public hearing for this request.